



Community Development Department
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Minutes
WASHINGTON CITY PLANNING COMMISSION
June 16, 2010

Present: Commissioner Schofield, Commissioner Kinder, Commissioner Burnette, Commissioner Smith, Commissioner Shepherd, Commissioner Staheli, Attorney Melinda Hill, Councilmember Hudson, Mike Shaw, Drew Ellerman, Kathy Spring, Brandee Walker, Sean Glathar, Rick Salisbury, Dannie Green, Jerry Andersen, Dawn Andersen.

Meeting called to order: 5:30 PM

Invocation: Commissioner Staheli

Pledge of Allegiance: Commissioner Schofield

1. APPROVAL OF AGENDA

A. Approval of Agenda for June 16, 2010.

Commissioner Burnette motioned to approve the agenda for June 15, 2010.

Commissioner Smith seconded the motion.

Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of minutes from May 19, 2010.

Commissioner Kinder motioned to approve the minute for May 19, 2010.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. ZONE CHANGE

A. Public Hearing and consideration for Z-10-03, property ID# W-4187-A-2, Stacey and Corey Hughes, to change present zone from OS to I-2 located at approximately 150 North 3400 East off of the Landfill Road. Applicant: Washington City, Drew Ellerman

Background

Drew Ellerman stated the applicant is requesting approval to rezone approximately 57.03 acres located at approximately 150 North 3400 East. The rezone request is going from an OS (Open Space) to I-2 (Heavy Industrial) zoning designation. The surrounding zoning is OS to the North and West and undeclared zoning to the South and East.

The parcel in question, was annexed into the city several years ago (approx. 5-7 years) through a forced annexation by another property owner. Since that time the owner of the parcel has been trying to establish a business on the property. The business he wishes to get started is only allowed in the Heavy Industrial zoning designation. Fortunately, the city's general plan has already established this particular area as an Industrial district.

The City Council authorized the Community Development Department to move forward with the rezoning of this parcel due to the fact that the property and its owner were indeed forced into the city from the county. The Council felt that it would be best if the city took care of the zone change on this parcel, to help the owner move forward in being able to use the land for the business he has been wishing to start at this location. The business is a recycle and metal salvage operation. This particular parcel is just down the road from the county landfill in the northeastern section of the city limits.

Recommendation

Staff recommends that the Planning Commission recommend approval of Z-10-03 to the City Council, base on the following findings:

Findings

1. That the requested zoning conforms to the land use and density designation of the General Plan.
2. That the requested zoning will be compatible with surrounding uses.

Commissioner Burnette asked if this is the area that has current containers on the property.

Drew Ellerman stated it is the same property.

Commissioner Schofield opened the Public Hearing.

No response.

Commissioner Schofield closed the Public Hearing.

Commissioner Burnette motioned to recommend approval to City Council with the findings and recommendation of staff.

Commissioner Smith seconded the motion.

Motion passed unanimously.

Drew Ellerman explained that on the map it appears white and next to it is open space, under State Statute it states that it can be classified to what is adjacent to it.

5. PRELIMINARY PLAT

- A. Public Hearing and consideration for the Preliminary Plat for Villa Toscana Phase 1 located at approximately 1450 East 3250 South. Applicant: Sam Haslem

Background

Drew Ellerman stated the applicant is requesting approval of a preliminary plat for Villa Toscana, Phase 1, subdivision, located approximately at 1450 East 3250 South. The applicant is wishing to restart this subdivision, a final plat was originally approved back on July 11, 2007 and never made it to be recorded. Final Plats expire after twelve (12) months if not recorded. Thus, this plat is back before us as a preliminary plat in hopes to move forward in getting final plat approval within the next few weeks. All construction on the ground is fairly completed, and no new requirements have been adopted since the original plat approval.

The city will be receiving application for a final plat as soon as the City Council approves this preliminary plat in the next few weeks.

The subdivision is proposing 20 lots on an area of 8.84 acres. The zoning on this parcel is R-1-15 with the same zoning to the subdivision directly to the west and RA-1/2 to the north and Open Space to the south and east.

Staff has reviewed this request and finds that it meets the subdivision criteria as outlined in the City's subdivision ordinance, thus, we recommend approval of the proposed Villa Toscana, Phase 1 subdivision.

Recommendation

Staff recommends that the Planning Commission recommend approval of the preliminary plat for Villa Toscana, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Ordinance and Subdivision Ordinance, as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the

- City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address the prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
 5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
 6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners. A note shall be placed on the plat stating that the City has the right to assess the property owners for failing to maintain the detention and landscaped areas.
 7. A final landscape plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
 8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the plat stating that the City has the right to assess the property owners for failing to maintain sight distance requirements.
 9. Driveway locations are to be approved by the Public Works Department.
 10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.

Commissioner Burnette stated when this first came up years ago Antigua Lane was in question with the access.

Drew Ellerman stated that Antigua Lane would be an added condition that the Lane be recorded before this plat. He explained that the Galilee Way is the second access. There is an ingress egress easement even though it curves and ends up into KD Jo Lane so there are two accesses.

Commissioner Smith asked why they don't include it.

Mr. Ellerman stated because the developer doesn't own it.

Commissioner Schofield asked if this is something the applicant is to take care of or the City.

Mr. Ellerman stated the applicant would take care of it.

Danny Green stated he is the engineer for this project. On the plat the lots have been shifted and is different from what is being looked at tonight this is the old one and there is a new plat.

Mr. Ellerman asked Mr. Green to clarify the building of the road. How would it tie into Antigua Lane?

Mr. Green stated he would be building half the road. There will be curb and gutter on his half.

Commissioner Smith stated he is concerned without permission how can the road work properly without the other 14 feet.

Mr. Green stated the plan being presented isn't the plat he wants to have approved.

Commissioner Schofield stated he isn't conformable with continuing without the proper plat because this is the preliminary plat approval.

Mr. Ellerman stated the preliminary plat is where the invested rights begin.

Commissioner Kinder stated that the applicant stated he moved the lots.

Commissioner Schofield asked how they could approve something that hasn't been seen.

Commissioner Kinder stated he would like to continue this to the next meeting.

Mr. Ellerman stated given the new information it would be advisable to continue given they can not approve something that they have not seen.

Commissioner Burnette asked if they could continue the Public Hearing or could they hold the Public Hearing and continue the item.

Mr. Ellerman stated he would rather they open the Public Hearing so if anyone appeared for this tonight they won't have to come again.

Commissioner Schofield opened the public hearing.

No response.

Commissioner Schofield closed the Public Hearing.

Commissioner Burnette motioned to table item to July 7, 2010.

Commissioner Kinder seconded the motion.

Motion passed unanimously.

6. FINAL PLAT

- A. Final Plat for Red Fields Estates Phase 2 located at approximately 400 West to 600 West 2100 South to 2300 South. Applicant: Salisbury Homes

Background

Mr. Ellerman stated the applicant is requesting approval of the final plat for the Red Fields Estates, Phase 2 subdivision located approximately at 400 West to 600 West and 2100 South to 2300 South. The phase 2 portion of the subdivision proposes 22 lots on an area covering 8.98 acres.

Staff has reviewed the request and the phase 2 proposal, and the proposed final plat conforms to the approved preliminary plat.

Recommendation

Staff recommends that the Planning Commission recommend approval of the final plat of the Red Fields Estates, Phase 2 subdivision to the City Council, based on the findings and subject to

the conditions below:

Findings

1. That the final plat meets the intent of the General Plan.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance, as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable in the General Notes, the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and / or Home Owners Association".

Mr. Ellerman gave copy of email from Dawn Andersen. (See attached to the minutes)

Drew Ellerman stated the first comment of the email references wall and walls are not put on final plats because walls can be moved. Elevations and Drainage is handled by Public Works standard operation and procedure and reviewed with construction drawings. The Canal is going to be piped. The City isn't responsible for the canal.

Commissioner Schofield asked about item 3 of the email Mr. Ellerman is referring to.

Mr. Ellerman stated if there is a problem the developer will work with the Canal Company and Public Works. The last comment regarding the detention area or park is up to the developer. The developer can create a detention with rock but we would not dictate if it is a park or not it is up to the developer. The trails are maintained by the developer and then the HOA will take over as homes are sold.

Commissioner Burnette asked about the maintenance of detention area.

Mr. Ellerman stated there is a development agreement stating the HOA would have to take care of the maintenance of common area or detention area. There is a note on every recorded plat that states if the HOA doesn't take care of it the property owner will take care of it and if the City has to take care of it the cost will be assessed to the property owner. There needs to be some attention to this area at this time but the developer is aware of it and he isn't worried that it won't get cleaned up.

Commissioner Schofield asked how severe the problem is and what is involved in cleaning it up.

Mike Shaw stated the canal would evidently be piped all the way through. This is referred to as the wide drain. The area south of the school is yet to be bided on. The Canal Company controls the ditch but the City uses it for storm water. He stated this summer the city would again clean it up.

Commissioner Schofield asked if the Canal Company is to keep it clean and if Mr. Shaw was aware of the any problems.

Commissioner Shepherd asked what area by the school would be piped.

Mr. Shaw stated it would be piped to the South of the school. Part of the canal in that area is in St George.

Commissioner Schofield asked if the city has any problem with existing issues.

Mr. Shaw stated it would be 5 to 10 years time frame funds are pending.

Mr. Ellerman stated Mr. Shaw's department tries to keep things clean and works with the Canal Company.

Commissioner Schofield asked about overflow or backing up of the canal.

Mr. Shaw stated no, further down where the two drains come together debris collected but it wasn't a problem they just cleaned it up. Mr. Shaw stated along 3650 South to Merrill road will be where the canal is then it goes to St George. He stated they met with St George and because the city is moving forth St George has moved up their plan to have the canal piped within about two years. The plan is for 2 54-inch pipes.

Sean Glather with Salisbury Homes stated he didn't know about the email. He stated they have agreed to share the cost of the wall.

Mr. Ellerman stated on Phase 1 the motion in City Council was that the property owner and developer would work together on the fencing.

Commissioner Schofield stated the water run off and drainage is addressed with staff.

Commissioner Schofield stated with water running off and problems that occur the property owners should call the city to hand in complaints.

Commissioner Burnette motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Smith seconded the motion.

Motion passed unanimously.

Commissioner Schofield stated the canal isn't our responsibility but if a problem occurs contact the city so it can be taken care of.

- B. Final Plat for Stonehedge Subdivision Phase 2 located at approximately 150 East to 450 East 3650 South to 3930 South. Applicant: Salisbury Homes

Background

Mr. Ellerman stated the applicant is requesting approval of the final plat for the Stonehedge, Phase 2 subdivision located approximately at 150 East to 450 East and 3650 South to 3930 South. The phase 2 portion of the subdivision proposes 47 lots on an area covering 23.25 acres.

Staff has reviewed the request and the phase 2 proposal, and the proposed final plat does conform to the approved preliminary plat.

Recommendation

Staff recommends that the Planning Commission recommend approval of the final plat of the Stonehedge, Phase 2 subdivision to the City Council, based on the findings and subject to the conditions below:

Findings

1. That the final plat meets the intent of the General Plan.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance, as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable in the General Notes, the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and / or Home Owners Association".
5. A six-foot (6') high block was required (at preliminary plat approval) to be placed around the Cannon residence (which is surrounded on three sides by this subdivision), which is in the northeast corner area of the subdivision. This wall needs to be completed prior to recordation of this plat.

Mr. Ellerman stated he would not require 6 ft on the west because it will get torn down because there is an easement for the canal company. The canal company will or has piped the canal.

Commissioner Schofield asked about lot 208 as an example.

Mr. Ellerman stated on the plat, it shows the easement that cannot be built on.

Commissioner Shepherd asked why there isn't a chain link fence before it is pipe because it is open why on Red Fields isn't there a requirement.

Mr. Ellerman stated a main ditch runs all the time but the tail water doesn't it is what is left over.

Commissioner Shepherd asked if at the Red Fields they could build a block wall as long as they aren't on an easement.

Mr. Ellerman stated that on an easement it could be torn down and for the purpose of the easement they don't have to replace it.

Commissioner Shepherd motioned to recommend approval to City Council with the findings and conditions of staff.

Commissioner Burnette seconded the motion.

Motion passed unanimously.

Commissioner Schofield turns time over to Commissioner Burnette.

Commissioner Burnette stated he has put in paperwork to be reappointed because his term on the commission has expired but didn't know what the out come would be and would like to thank staff and the commissioners for the work they do. He has appreciated working as a commission and hopes to continue to be one of the commissioners.

Commissioner Schofield stated he has appreciated working with Commissioner Burnette and hopes to continue to do so.

Meeting adjourned: 6:31 PM

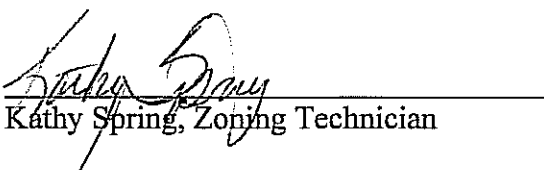
Washington City

Signed by:



Rick Schofield, Chairman

Attested to:



Kathy Spring, Zoning Technician